

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL ACTION NO. 10-556
	:	
v.	:	
	:	
JULIO COLON	:	CIVIL ACTION NO. 15-57

**ORDER**

**AND NOW**, this 18th day of February, 2016, upon consideration of Colon's pro se "Motion to Re-open and Amend Timely Filed 2255 Motion Pursuant to [Federal Rule of Civil Procedure] 60(b)(1) and Rule 15(c)(2) Relation Back Doctrine" ("Rule 60(b) Motion") (Criminal Docket No. 127), as well as his "Motion to Amend 28 U.S.C. 2255 Pursuant to [Federal Rule of Civil Procedure] 15(c)(2) Relation Back Principle" ("Motion to Amend") (Criminal Docket No. 126), and the Government's "Motion to Dismiss Without Prejudice the Defendant's Second Petition Under 28 U.S.C. § 2255" (Criminal Docket No. 128), and for the reasons stated in the accompanying Memorandum, **IT IS HEREBY ORDERED** as follows:

1. The Government's Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART**. The Motion is **GRANTED** insofar as it seeks dismissal of the Motion to Amend and dismissal of the portion of the Rule 60(b) Motion that seeks relief under Federal Rule of Civil Procedure 60(b)(1). It is **DENIED** in all other respects.
2. Colon's Rule 60(b) Motion is **DISMISSED** insofar as it seeks relief under Rule 60(b)(1) and **DENIED** insofar as it seeks relief under Rule 60(b)(6).
3. Colon's Motion to Amend is **DISMISSED**.

4. As we either dismiss or deny all of Colon's claims for relief, Civil Action Number 15-57 shall remain **CLOSED**.

BY THE COURT:

/s/John R. Padova  
John R. Padova, J.